

**Notice of Allowability**

Application No.

10/516,924

Applicant(s)

NAKANISHI ET AL.

Examiner

Art Unit

Bernarr E. Gregory

3662

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 22 November 2005.
2. ☒ The allowed claim(s) is/are 16-30.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

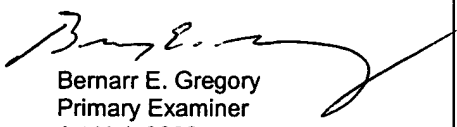
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Bernarr E. Gregory  
Primary Examiner  
Art Unit 3662

Art Unit: 3662

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

On line 10 of page 8 of the Specification, delete "Fig. 6 illustrates," and insert --Figures 6(A) and 6(B) illustrate—therefore.

On line 18 of page 8 of the Specification, delete "Fig. 8 shows," and insert --Figures 8(A) and 8(B) show—therefor.

On line 21 of page 8 of the Specification, delete "Fig. 9 shows," and insert --Figures 9(A) and 9(B) show—therefor.

On line 23 of page 8 of the Specification, delete "Fig. 10 illustrates," and insert --Figures 10(A) and 10(B) illustrate—therefor.

At the beginning of line 11 of page 16 of the Specification, delete "Fig. 6 shows," and insert --Figures 6(A) and 6(B) show—therefor.

At the end of line 11 of page 16 of the Specification, delete "Fig. 6 shows," and insert --Figures 6(A) and 6(B) show—therefor.

At the beginning of line 12 of page 21 of the Specification, delete "Fig. 8 shows," and insert --Figures 8(A) and 8(B) show—therefor.

At the beginning of line 6 of page 23 of the Specification, delete "Fig. 9 shows," and insert --Figures 9(A) and 9(B) show—therefor.

On line 3 of page 24 of the Specification, delete "10," and insert --10(A)--therefor.

At the beginning of line 4 of page 24 of the Specification, delete "Fig. 10 shows," and insert –Figures 10(A) and 10(B) show—therefor.

2. No authorization was sought for the Examiner's Amendment above since it merely involves editorial changes to prepare the application for printing as a patent.

3. The following is an examiner's statement of reasons for allowance:

None of the prior art of record either taken alone or taken in any possible combination would anticipate or would tend to render obvious Applicants' claimed apparatus as set forth in independent claim 16 that is particularly characterized at least by the claimed "frequency-analysis element ..." as described on lines 7-9 of claim 16; the claimed "pair-extraction element ..." as described on lines 10-14 and 20-26 of claim 16; and the claimed "detection element ..." as described on lines 15-17 of claim 16, taken together and taken in the overall context of independent claim 16.

Dependent claims 17-30 are allowable for at least the reasons for which claim 16 is allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The drawings of 03 December 2004 are accepted as FORMAL.

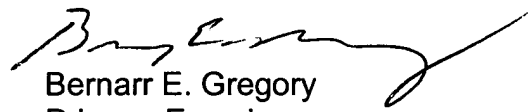
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernarr E. Gregory whose telephone number is (571)

Art Unit: 3662

272-6972. The examiner can normally be reached on weekdays from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza, can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Bernarr E. Gregory  
Primary Examiner  
Art Unit 3662